

California Victim Compensation and Government Claims Board

Open Meeting Minutes

September 25, 2007, Board Meeting

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of the Chair, Rosario Marin, Secretary, State and Consumer Services Agency, at 400 R Street, Sacramento, California, on Tuesday, September 25, 2007, at 10:04 a.m. Also present were Board members Les Kleinberg, Deputy Controller, acting for and in the absence of John Chiang, Controller; and Michael Ramos, San Bernardino County District Attorney.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; and Garry Ness, Chief Counsel. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

Item 1. Minutes of September 25, 2007, Board Meeting

The Board voted to adopt the minutes of the September 25, 2007, Board meeting.

Item 2. Public Comment

The Board opened the meeting for public comment. No public comment was offered.

Item 3. Executive Officer's Statement

The Executive Officer's report included the following:

- September 25, 2007, is the first formal observance of the National Day of Remembrance for Murder Victims with ceremonies in Washington, D.C. The Board held a brief moment of silence to remember victims and their loved ones.
- On the sixth anniversary of the September 11th attacks, the nation paused to remember the nearly 3,000 people who lost their lives. To recognize survivors and family members on the occasion of the 9/11 anniversary, and commend them for their continued courage, the VCGCB reached out with a personal letter signed by Board Chair Rosario Marin to the many survivors and family members assisted by the Victim Compensation Program.
- This year a federal program specialist reviewed the VCP's administration and implementation of victim compensation to ensure it meets federal requirements. The VCP is pleased to report that it has successfully passed the audit and has been judged as doing an exceptional job at implementing the federal grant program.
- CaRES (the Board's new automated claims processing system) is now operating at three of our largest Joint Powers partner agencies, the City of Los Angeles and Los Angeles and Santa Clara Counties. Those counties join pilot counties San Bernardino, San Joaquin, and Sacramento Counties.
- Gary Longholm is the Board's new Deputy Executive Officer for the Legislation and Public Affairs Division. Mr. Longholm presented a legislative update to the Board.
- On October 2nd the VCGCB will host the statewide California Crime Victim Assistance Association meeting for county Victim/Witness Assistance Center directors. The meeting will provide the VCGCB with an opportunity to network with advocates and discuss ways to improve partnerships.
- The Executive Officer distributed a DVD developed by the Commission on Peace Officer Standards and Training (POST) entitled "Victims of Violence: A Guide to Help Bring Justice" that is a guide for victims about the criminal justice system. The VCGCB is partnering with POST to distribute the DVD's.

Chairperson Marin stated that she would like the VCGCB to hold a memorial on September 25, 2008, recognizing the National Day of Remembrance to honor the memory of victims.

Item 4. Contract Report

The Executive Officer presented the contract report to the Board.

Government Claims Program

The Executive Officer introduced Laura Alarcon, the new manager of the Government Claims Program (GCP), and thanked Anita Ahuja who filled in as acting manager of the GCP prior to Ms. Alarcon's hire.

Item 5. Consent Agenda (Nos. 1- 331)

The Board voted to adopt the staff recommendations for numbers 1-331.

Item 6. Stead Backflow Prevention Services, Inc. G563701

The Board voted to re-examine the previously rejected claim of the August 23, 2007, meeting. Upon motion Board, the VCGCB hearing officer, CalTrans representatives, and claimant met to resolve the claim.

Item 7. Riverside County Sheriff's Department G567361, 568130, G568131, G568332, and G568336

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$4,100.20 to be paid under authority of Government Code section 13928 (legislative pay).

Riverside County Sheriff's Department G568854, G568855, G568856, and G568857

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$4,739.54 to be paid under authority of Government Code section 13928 (legislative pay).

Los Angeles City Attorney's Office G568574

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$1,717.41 to be paid under authority of Government Code section 13928 (legislative pay).

San Bernardino County Sheriff's Department G563690, G565160, G566699, and G567339

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$8,842.88 to be paid under authority of Government Code section 13928 (legislative pay).

El Dorado County Sheriff's Department **G567904, G567907, G567908, G567910, G567911, and G567912**

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$6,285.97 to be paid under authority of Government Code section 13928 (legislative pay).

El Dorado County Sheriff's Department **G565187, G565188, G565189, G565190, G565191, G565193, and G565194**

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$8,028.18 to be paid under authority of Government Code section 13928 (legislative pay).

West Sacramento Police Department **G553773**

Donna Corbin appeared on behalf of the Department of Corrections and Rehabilitation.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$2,246.23 to be paid under authority of Government Code section 13928 (legislative pay).

Item 8. Tetra Corporate Services **G557339**

Rita Escobar appeared on behalf of the Department of Technology Services.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$93,477.82 to be paid pursuant to Government Code section 965 (agency pay).

Item 9. Anna Moody **G565803**

Steve Bakken appeared on behalf of the Department of Parks and Recreation.

Claimant, Anna Moody, appeared.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$6,100.00 to be paid pursuant to Government Code section 965 (agency pay).

Item 10. Bowne Marketing and Business Communications **G568081**

The Board voted to adopt the staff recommendation to allow the claim in the amount of \$217,015.53 to be paid pursuant to Government Code section 965 (agency pay).

Item 11. County Special Elections Cost Claims for 2006

Claim of County of Orange Registrar of Voters **G565884 and G565607**
Claim of County of San Diego Registrar of Voters **G565631 and G566986**

The Board voted to adopt the staff recommendations to allow the claims in the total amount of \$1,718,628.67, to be paid pursuant to Government Code section 13928 (legislative pay).

Item 12. Per Diem Rates for Members of the State Legislature

The Board voted to adopt the staff recommendation to adopt \$170.00 as the per diem rate for Members of the State Legislature effective October 1, 2007.

Item 13. Protest of GE Medical Systems Ultrasound & Primary Care Diagnostics, LLC Invitation for Bid No. 56045

The Board voted to adopt the staff recommendation to dismiss the protest.

Item 14. Protest of Downtown Ford Sales Invitation for Bid No. 56112

The Board voted to adopt the staff recommendation to dismiss the protest.

Item 15. Dwayne McKinney (Pen. Code sec. 4900 et seq.) Claim Number G507450

The claim was continued at the request of the claimant.

Victim Compensation Program

The Board commenced the Victim Compensation Program portion of the meeting at 10:57 a.m.

Victim Compensation Program FY Year End Report

Laura Hill, Deputy Executive Officer, Victim Compensation Program, presented the Victim Compensation Report FY Year End Report to the Board.

Consent Agenda (Nos. 1- 11)

The Board voted to adopt the staff recommendations.

Requests for Reconsideration Recommendations: Deny (Nos. 12-34)

The Board voted to adopt the staff recommendations.

Reconsideration Following Board Action on a Proposed Decision Recommendation: Allow (No. 35)

The Board voted to adopt the staff recommendation.

Reconsiderations Following Board Action on a Proposed Decision Recommendations: Deny (Nos. 36-41)

The Board voted to adopt the staff recommendations.

**Proposed Decisions Following Failure to Appear
(Nos. 42- 70)**

The Executive Officer stated that there was a typographical error on number 58. The correct number is 837819.

The Board voted to adopt the proposed decisions.

Closed Session

Pursuant to Government Code sections 11126 (a), 11126(c)(3), and 11126(e), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 11:03 a.m. to deliberate on the proposed decisions, numbers 71-107, and to confer with and receive advice from counsel regarding pending litigation.

The Board reconvened into open session at 11:10 a.m.

Open Session

The Board voted to return number 71 to the hearing officer for further review. The Board voted to adopt the proposed decisions for numbers 72-107.

The Executive Officer stated that the October Board meeting will be held on October 16, 2007, at 2:00 p.m.

Board members voted to cancel the November 15, 2007, Board meeting. The next Board meeting will be held on December 13, 2007.

Adjournment

The Board meeting adjourned at 11:12 a.m.

Karen McGagin
Executive Officer

I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of October 16, 2007, at Sacramento, California.

Date: October 16, 2007

By: _____

Board Liaison

(Affix Seal here)